

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 NORTHERN DISTRICT OF OKLAHOMA

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4

AMANDA FEENSTRA, et al.,

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Plaintiff,

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vs.

Case No. 19-cv-234-JFH-FHM

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JARED SIGLER, et al.,

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Defendants.

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DEPOSITION OF SHARONICA CARTER
TAKEN ON BEHALF OF THE DEFENDANTS
ON NOVEMBER 2, 2020, BEGINNING AT 10:44 A.M.
(via Zoom)

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APPEARANCES

18

On behalf of the PLAINTIFFS:

19

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REPORTED BY: Karen Dauphin Albert, CSR, RPR

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1 mentioned a prior felony conviction?

2 A Uh-huh.

3 Q I think you told us earlier that that

4 was not true.

5 Do you remember that testimony?

6 A Yes.

7 Q Just so I'm clear and we're not

8 confusing terminology or the terms of something,

9 had you maybe entered a plea of guilty or no

10 contest to another charge before this Washington

11 County case?

12 A Not that I can recall.

13 Q Any of the discussion that we looked at

14 on that transcript about any prior cases, does

15 that ring any bell or refresh your memory about

16 any prior cases?

17 A Not that I can recall. I mean, I don't

18 know what you really mean.

19 Q Okay. I'm just trying to get a sense

20 of, you know, the other cases that you may have

21 had already before you that maybe went into

22 some of the discussions and the advice or

23 recommendations that you got from this

24 Washington County case.

25 A The -- what did it say? When I was in

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1 school?

2 Q Or at any time before this Washington

3 County case.

4 A Not that I can recall. I mean, if -- if

5 -- convicted, no, I ain't.

6 Q Okay.

7 A This is my first conviction.

8 Q All right. No. That's what I wanted to

9 know.

10 A Okay.

11 Q I'm not trying to trick you or anything.

12 So if you don't know, just tell me you don't

13 know.

14 A Okay.

15 Q All right. So in any of the discussions

16 that you had with Ms. Sanders, did she outline

17 or did she describe the potential punishment

18 that you were facing for this charge?

19 A Yes, sir. It always went like --

20 Q And what did she tell you?

21 A It always went like, "Kid, this is the

22 best deal we got." We was even in the hallway

23 one time. "This is the best deal we got. Take

24 it, or they're going to send you to the

25 penitentiary for 15 years."

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1 Q All right. And I'm going to assume --

2 tell me if this is wrong -- that you didn't want

3 to go to prison for 15 years?

4 A I told her to take it to trial and --

5 Q Right. I understand that you've told us

6 that, and I do. I'm not talking about that.

7 I'm just asking.

8 You didn't want to go to jail for 15

9 years; right?

10 A I wasn't guilty of -- no. No.

11 MR. LACOVARA: I don't know if this

12 would be helpful to you, but we're prepared to

13 stipulate that Ms. Carter is not challenging the

14 incarceration or the plea agreement insofar as

15 it relates to the fine of \$1,000 or the sentence

16 as it was carried out.

17 We've never had a claim on that.

18 MR. WILLIFORD: I'm not saying --

19 MR. LACOVARA: So I'm not sure where

20 these questions are going in terms of any issue

21 that's in dispute.

22 MR. WILLIFORD: I know. I know and

23 understand. We talked about this before. I

24 think it all kind of plays into each other, so

25 -- but I understand that that's your position.

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1 MR. LACOVARA: Right. And just so you

2 know, obviously we're talking about events nine

3 years ago with a tired witness. So we are where

4 we are.

5 MR. WILLIFORD: I understand that too.

6 I understand too. I mean, my memory from last

7 week is -- I mean, especially this year. So I

8 understand.

9 Q (By Mr. Williford) Ms. Carter, if you

10 don't remember something, please just tell me

11 you don't remember, and I completely understand.

12 I'm just going to be as fair with you as I can,

13 and if I'm not being fair, let me know, and I'll

14 try to be --

15 A Okay.

16 Q At any time during any of your

17 discussions with Ms. Sanders, did she ever

18 mention how she was being paid?

19 A She just -- she always told me that she

20 wasn't getting paid.

21 Q Okay.

22 A She was just a public defender. So I

23 don't know.

24 Q Do you remember ever asking her about

25 how she was going to be paid?

<p style="text-align: right;">Page 142</p> <p>1 A No, sir. I never did.</p> <p>2 Q Did Ms. Sanders ever tell you anything</p> <p>3 that you believed to be some sort -- that she</p> <p>4 was somehow rushing your case just to get done</p> <p>5 with it?</p> <p>6 A Yes, sir. When I asked her to</p> <p>7 fingerprint the gun, she said, "Your case is not</p> <p>8 a big case like that. He has murder trials that</p> <p>9 he -- he has murder trials going on. So we're</p> <p>10 trying to go ahead and get through yours."</p> <p>11 That's what I was told.</p> <p>12 Q When you say "he," you mean Judge</p> <p>13 DeLapp?</p> <p>14 A DeLapp. Judge DeLapp.</p> <p>15 Q Jude DeLapp. Okay.</p> <p>16 A That he was very busy; that my case</p> <p>17 wasn't like the murder cases. So they was</p> <p>18 trying to hurry up and get me out of the way.</p> <p>19 Q Okay.</p> <p>20 A That's what she told me out of her own</p> <p>21 mouth, Kristi Sanders.</p> <p>22 Q Okay. Now, did you take that to mean</p> <p>23 that Ms. Sanders was rushing your case or Judge</p> <p>24 DeLapp was rushing your case?</p> <p>25 A Both. Because the things that I asked</p>	<p style="text-align: right;">Page 144</p> <p>1 Q Okay. Now, on this case, this youthful</p> <p>2 offender case, you entered what they call a</p> <p>3 blind plea; is that right?</p> <p>4 A She entered. Kristi Sanders entered a</p> <p>5 blind plea. I wanted to go to trial.</p> <p>6 Q No. I understand that. I understand</p> <p>7 that's what you've told us.</p> <p>8 A But it was entered on my behalf?</p> <p>9 Q It was what they call a blind plea.</p> <p>10 Do you know what that means?</p> <p>11 A No. At the time, I didn't understand</p> <p>12 anything what was going on except, "You're 15.</p> <p>13 You're going to spend 15 years, or you take the</p> <p>14 deal."</p> <p>15 That's the only thing I understood. I</p> <p>16 didn't understand the terms, what was going on,</p> <p>17 the sentencing, the fines, none of that. I</p> <p>18 didn't understand none of it.</p> <p>19 Q All right. Ms. Carter, do you know if</p> <p>20 your mother -- did she ever meet with Attorney</p> <p>21 Sanders?</p> <p>22 A With me in the hallway, and that's when</p> <p>23 she told me, "That's the best deal" -- my mom</p> <p>24 even heard that too. "That's the best deal we</p> <p>25 got, kid. Take the deal."</p>
<p style="text-align: right;">Page 143</p> <p>1 her to inquire about never once was brought up,</p> <p>2 not even in front of me.</p> <p>3 Like when I asked her to do something,</p> <p>4 it was like, "Okay. If he allows me to."</p> <p>5 That's what it was always was, "If he</p> <p>6 allows me to."</p> <p>7 Q Okay. And again, "he" is Judge DeLapp?</p> <p>8 A "He" was Judge DeLapp, yes.</p> <p>9 Q So she was trying -- "she" being</p> <p>10 Attorney Sanders was -- it sounds like she felt</p> <p>11 like she was a little bit kind of hamstrung and</p> <p>12 a little bit tied by what Judge DeLapp was going</p> <p>13 to do.</p> <p>14 Is that fair?</p> <p>15 MR. LACOVARA: I object to the form.</p> <p>16 MS. NAIK: Objection. Form.</p> <p>17 THE WITNESS: I was going to say I</p> <p>18 didn't understand that anyway.</p> <p>19 Q (By Mr. Williford) I apologize. I</p> <p>20 apologize. I'll try to reask it. It was</p> <p>21 clearly a bad question.</p> <p>22 Did it sound to you like Attorney</p> <p>23 Sanders felt like she kind of had her hands tied</p> <p>24 by what Judge DeLapp was going to do?</p> <p>25 A I don't know, honestly.</p>	<p style="text-align: right;">Page 145</p> <p>1 Q Anytime other than that that your mom</p> <p>2 met with Attorney Sanders that you know of?</p> <p>3 A No.</p> <p>4 Q Now, we looked at the plea agreement and</p> <p>5 Mr. Pederson pointed it out -- this was Exhibit</p> <p>6 1 -- that there were two dates on it, August 11,</p> <p>7 2011, and September 22, 2011.</p> <p>8 Do you remember looking at those two</p> <p>9 dates with him?</p> <p>10 A Yes, sir.</p> <p>11 Q Do you remember if, on the August 11th</p> <p>12 hearing -- did you go before Judge DeLapp on</p> <p>13 August 11th?</p> <p>14 A I can't recall, honestly.</p> <p>15 Q Sure. No. I understand.</p> <p>16 Do you remember going in front of him</p> <p>17 twice to enter your plea?</p> <p>18 A I can't recall.</p> <p>19 Q Do you recall how many times you went in</p> <p>20 front of Judge DeLapp on this particular -- on</p> <p>21 the criminal charges?</p> <p>22 A So many, I can't recall.</p> <p>23 Q At any time do you remember Judge DeLapp</p> <p>24 going through the plea discussion and the plea</p> <p>25 paperwork with you and asking you questions</p>